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		First Named Inventor	Augustine et al
		Examiner Name	Graham
		Group Art Unit	3304
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	·*	neck all that apply)	
Fee Transmittal Form	Assignment Papers (for an Application)  Drawing(s)  Licensing-related Papers  Petition Checklist and		After Allowance Communication to Group  Appeal Communication to Board of Appeals and Interferences  Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  Proprietary Information
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Amendment/Response			
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT /			
Firm Terrance A. Meador or Reg. No. 30,298 GRAY CARY WARE & FREIDENRICH			11
Signature terment Made			
Date 22 July 1997			
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 22 July 1999			
Typed or printed name Terrance A. Meador			
Signature Tumeri	A Mead		Date 22 July 1999

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

S.D. AUGUSTINE ET AL.

08/419,719

Filed:

Serial No.:

April 10, 1995

For:

THERMAL BLANKET

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

## **COMMUNICATION**

Accompanying this paper is an Information Disclosure Statement. On June 2, 1997, a Notice (Paper No. 19) was mailed from the Office of Patent Publication to the undersigned. The purpose of the Paper was to give notice that the subject patent application was withdrawn from issue by the Office for the purpose of reopening prosecution. The litigation related to the subject matter and priority of this application has now been heard on appeal by the Court of Appeals, Federal Circuit. The accompanying Information Disclosure Statement forwards a copy of the Decision on Appeal. Subsequent to the decision, Augustine Medical, Inc., the owner by assignment of this patent application, submitted a Petition For Rehearing And Suggestion For Rehearing In Banc, a copy of which is attached. As of this date, the Federal Circuit has not ruled on the Petition, but has asked that Gaymar and Mallinckrodt respond to the petition.

Respectfully submitted,

Group Art Unit: 3304

Examiner: M. Graham

Docket No.: AUGA01000010

Date: 12 July 1999

TERRANCE A. MEADOR Registration No. 30,298

1 Mead

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## **PROOF OF SERVICE**

I certify that on June 21, 1999, I caused true and correct copies of the following: Combined Petition For Rehearing And Suggestion For Rehearing In Banc of Plaintiff-Cross-Appellant Augustine Medical, Inc. to be served by Federal Express on:

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Attorneys for Gaymar Industries, Inc. and Medisearch P R, Inc.
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Date: June 21, 1999

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